

Your ref: |
Our ref: 6.3a TNP
Please ask for: Frank Rallings
Direct dial no: 01424 787634
Date: 5th March 2019 |



Mr J Slater
John Slater Planning Ltd.
BY EMAIL ONLY

Dr Anthony Leonard
Executive Director

Town Hall
Bexhill-on-Sea
East Sussex TN39 3JX

Dear Mr Slater,

Ticehurst Neighbourhood Development Plan 2018-2028

In view of your initial comments as Independent Examiner of the Ticehurst Neighbourhood Plan, received on Monday 18 February 2019, Rother District Council (RDC) has prepared responses to questions 6 - 9. Questions 6 & 7 relate to the proposed Green Gaps (Policy R2), and questions 8 & 9 relate to the Singehurst Housing Site Allocation (Policy H2 (2)).

The following RDC responses are presented under the headings in your questions.

Green Gaps

6. *Is there an equivalent policy covering the land in Etchingam parish that would be complementary to the aspiration to prevent the coalescence of Ticehurst and Stonegate?*

RDC response

There is no equivalent NP policy covering the land in Etchingam. The Parish, which is located within the High Weald AONB, is in the process of preparing a Neighbourhood Plan but has not yet reached the Regulation 14 consultation stage (programmed for Spring 2019). The AONB countryside outside the village development boundary of Etchingam is protected by adopted Core Strategy policies - OSS2: Use of Development Boundaries, RA3: Development in the Countryside, Policy EN1: Landscape Stewardship as well as AONB policies contained within the NPPF 2012 (paras 115 & 116) and NPPF 2018 (para 172). The emerging policies DEN1: Maintaining Landscape Character and DEN2: The High Weald Area of Outstanding Natural Beauty in the RDC Development and Site Allocations Local Plan (currently at examination) will also be relevant if and when adopted.



7. *I would ask Rother District Council why it supports a strategic gap between Flimwell and Ticehurst but not measures to prevent coalescence with other villages?*

RDC response

RDC's representation on the submission TNP supported the identification of the Ticehurst and Flimwell Green Gap (Policy R2(1)) which, although not specified in the Core Strategy, recognises that the gap between the two villages is vulnerable to coalescence. We have produced a map (Map 1 attached) to illustrate the development pressures between Ticehurst and Flimwell, which also shows that land between other settlements is not subject to this development pressure.

As stated previously, the fact is that only Ticehurst and Flimwell are identified through the Core Strategy as having potential for growth; as such, the pressure for outward growth between them is greater.

The map shows that there is already quite considerable scattered residential development between Ticehurst and Flimwell, as well as the Golf Club buildings.

Moreover, it shows that that the pressure for further development continues. It shows:

- in yellow on the map, two recent planning applications (one dismissed on appeal) for residential development in the gap west of Flimwell
- in red on the map, an outstanding TNP representation (TIC/R16/2018/33) relating to land at Cherry Tree Field, Land at Steellands Rise and former agricultural buildings at Steellands Farm, Ticehurst, for development of up to a total of 37 dwellings
- in orange on the map, a further site submitted by the landowner during the TNP 'Call for Sites', which is listed as 'Site 11: Dale Hill Farm' in the SEA accompanying the Submission TNP.

It is very evident that such further development, if allowed, would clearly consolidate the existing development to the extent that the distinct identities of the two villages would be eroded if not substantially lost.

The map also shows that this situation does not exist in relation to the other identified gaps. There has just been one recent small-scale scheme in the Ticehurst-Wallcrouch gap, which was the redevelopment of a single dwelling with two dwellings. One site was submitted by the landowner during the TNP 'Call for Sites' immediately west of Stonegate, but this cannot be viewed as leading to coalescence with Ticehurst, which is over two miles distant.

Singehurst

8. *I am conscious that there was an appeal decision APP/U1430/W/16/ 3150796 which dismissed an appeal by Rydon Homes for the development of this site, particularly because of the impact on the listed buildings in the vicinity. I would like to offer the Parish Council the opportunity to make additional representations and in particular, whether there has been a change in circumstances since that decision which would now render the residential development of this site, acceptable. I acknowledge that it may be that the community's support for this site could be such a change but I need to test the allocation in terms of meeting the basic conditions.*



RDC response

Although this question is directed at the Parish Council, the District Council, as LPA, notes that there has been no material change in the planning context, in terms of planning decisions, since the appeal decision.

The Council's response to Q9 below also bears on the s78 Inspector's reasoning for dismissing the appeal.

9. *Would the District Council's view be different if the western allocation boundary was moved eastwards to create a larger buffer area to the listed buildings, thereby not so impacting on their setting to the same extent?*

RDC response

In dismissing the appeal, the Inspector in fact focused on two distinct concerns:

- a) *The contribution of the site to the countryside setting of the village (paragraph 25) and, hence, to the character and appearance of the area (paragraphs 26 and 27), as well as*
- b) *The contribution the site makes to the legibility and setting of the adjacent heritage assets, (paragraphs 32, 33, 36 and 39)*

Therefore, the implications of a more easterly site allocation are considered in relation to both issues, in turn.

In relation to point (a), the Inspector's decision related to the field as a whole as contributing to the countryside setting of the village and the character and appearance of the area (see paragraph 25 of his decision), where he concluded that:

'To a large extent, its value stems from the fact that it has remained open and undeveloped and retains its broadly agricultural appearance combined with its village edge location.'

In paragraph 26, the Inspector highlights that the proposed development would be apparent from nearby public views, including from Pashley Road and the right of way to the east in filtered views through the hedge/planting. (This refers to PROW No.31)
Clearly, such visibility of development would still pertain from these views if the allocation boundary were moved eastwards.

The Inspector then concluded in paragraph 27 that:

'Consequently, the appeal development would undermine the contribution the site currently makes to the character and appearance of the area.'

The Council does not consider that moving the western allocation boundary eastwards overcomes its objections to the adverse impact of the development on the rural landscape character of the setting of the village, nor the Inspector's conclusions in this regard.



Similarly, in relation to (b), the Inspector clearly refers to the site itself as contributing to the significance of the three heritage assets, namely Singehurst, Singehurst Barn and “Breckles et al” (paragraphs 36 and 39), and sets out in paragraph 40 that the appeal development would detrimentally affect the contribution that the setting makes to each, stating that:

‘Notably, this would be as a result of its fundamental effect on the open, agricultural feel of the site and the associated significantly diminished intervisibility between the appeal site and those heritage assets from beyond and within the site thereby eroding the legibility of each of those listed buildings.’

The intervisibility is well-illustrated with a photograph from the PROW No.31 that borders the eastern boundary of the site:



Therefore, the Council does not believe that the locating of new homes into an easterly part of the site would overcome this objection in relation to the impact on the setting of the listed buildings.

In essence, it is considered that the loss of the openness and the agricultural appearance of the site is an “in principle” objection to its development. Rather than being an issue of the proximity of new housing to the listed buildings, it is the loss of open field that would result from development, even if moved eastwards, that would inevitably still undermine its value as an open, agricultural setting of the listed buildings and the wider grouping of the heritage assets.

The contribution that the site presently affords to the setting of the surrounding historic buildings relates not only to visual value and character, but also to their historic, evidential and functional compositional significance, aspects given weight in the Historic England guidance note *‘The Setting of Heritage Assets: Historic Environment Good Practice Advice in Planning:3’*.



In summary, the Council's objections to the development on this site, regarding impact on both impact the character and appearance of the area and on the character of the setting of the listed buildings, would still pertain even if the western allocation boundary was moved eastwards.

This position is consistent with advice the Council has provided to a planning agent in response to a post-appeal pre-application enquiry in 2018 on an amended scheme, for a somewhat lesser development.

Yours sincerely

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